

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:23-cr-00351-MTS (JSD)
)	
GARNELL AUGUST CARTER,)	
)	
Defendant.)	

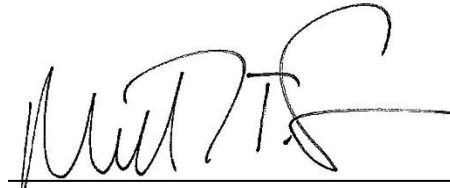
OPINION, MEMORANDUM, AND ORDER

This matter is before the Court on Defendant Garnell August Carter's Motion to Dismiss Indictment on Second Amendment Grounds, Doc. [103]. Pursuant to 28 U.S.C. § 636(b), the Motion was referred to United States Magistrate Judge Joseph S. Dueker, who recommended that the Motion be denied. No objections were filed. As no objections were filed, I will adopt and sustain the Report and Recommendation filed by Judge Dueker. I have independently reviewed his recommendation and agree there is no basis under the facts and the law to dismiss the indictment against Defendant.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge Joseph S. Dueker, Doc. [106], is **SUSTAINED, ADOPTED, and INCORPORATED** herein, and Defendant Garnell August Carter's Motion to Dismiss Indictment on Second Amendment Grounds, Doc. [103], is **DENIED**.

Dated this 30th day of May, 2025.



MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE